

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

WAYNE VAN SCOY,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 05-108-KAJ
v.	)	
	)	
VAN SCOY DIAMOND MINE OF	)	
DELAWARE, INC., KURT VAN SCOY,	)	
and DONNA VAN SCOY,	)	
	)	
Defendants.	)	

**PLAINTIFF'S SUBMISSION REGARDING**  
**DEFENDANTS' MOTION FOR REVISED PROTECTIVE ORDER**

Defendants' Motion for Revised Protective Order (D.I.s 55 & 56) is moot in view of the hearing before the Court by telephone conference call of August 22, 2005. Therefore, no response is required at this time. If the matter is not fully resolved as a result of the follow-up efforts between counsel directed by Judge Jordan during that teleconference, then Plaintiff will request ten (10) days from the date when negotiations break down to respond to Defendants' Motion.

ASHBY & GEDDES

*/s/ Steven J. Balick*

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Dated: September 2, 2005

161021.1

**CERTIFICATE OF SERVICE**

I hereby certify that on the 2<sup>nd</sup> day of September, 2005, the attached **PLAINTIFF'S SUBMISSION REGARDING DEFENDANTS' MOTION FOR REVISED PROTECTIVE ORDER** was served upon the below-named counsel of record at the address and in the manner indicated:

Francis G.X. Pileggi, Esquire  
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HAND DELIVERY

Charles N. Quinn, Esquire  
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Tenth Floor  
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VIA ELECTRONIC MAIL

*/s/ Steven J. Balick*

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Steven J. Balick